

RECEIVED  
In The United States District Court  
For The Middle District of Alabama

2005 NOV 15 A 9:34 Northern Division

DEBRA P. HACKETT, CLK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT, ALA  
Ashley T. Jones )  
A/S 216506 )  
Plaintiff ) Civil Action No. 2:05-CV-731  
v. )  
Gladys Deese, et, al )  
Defendants )

Response to Defendants Special Report  
COMES NOW, the plaintiff, Ashley T. Jones in response to  
this Honorable Courts order dated October 3, 2005, hereby  
submit the following:

Parties -

- 1) Plaintiff Ashley T. Jones is an Alabama Department of Corrections (ADOC) inmate currently housed in the Julia Tutwiler Prison For Women (Tutwiler).
- 2) Defendant Gladys Deese was employed (retired now) as Warden III at Tutwiler
- 3) Defendant Frank Albright is currently employed as a Warden II at Tutwiler

## Argument

- 1) Plaintiff assert defendants has failed to state claims upon their special report.
- 2.) Defendants can not plead the affirmative defenses of qualified and absolute immunity - when they made the decisions.
- 3.) Plaintiff assert defendants has failed to show in any issues that the material facts of the Plaintiff are untrue.
- 4) Plaintiff has showed that the defendants have and still are violating her constitutional rights under 42 USC 1983.  
Discrimination against male inmates and female inmates.
- 5) Plaintiff has been denied the same rights as male L.W.O.P. inmates by the Defendants to attend Trade School
- 6.) Plaintiff does not state she has a right to a job, not once did the plaintiff state that.

## Plaintiff Exhibits

- Exhibit(1) Affidavit of Ashley Jones - November 10, 2005
- Exhibit(2) Affidavit of father of the Plaintiff - Eugene Jones Nov. 3, 2005
- Exhibit(3) Document of Trade School procedures
- Exhibit(4) - Plaintiff Time Sheet - October 6, 2005
- Exhibit(5) - letter from Warden Deese of congratulations for achievement Oct 1, 2002
- Exhibit(6) letter by G.E.D. Instructor Joel Brock - September 26, 2002
- Exhibit(7) Correctional Officer Report
- Exhibit(8) Correctional Officer Report
- Exhibit(9) Correctional Officer Report
- Exhibit(10) Captains Secretary Report

### Facts:

The plaintiff is an life without parole inmate housed at Julia Tutwiler Prison For Women. The plaintiff went through her Classification Supervisor to attend Trade School which is the steps to take to attend Trade School. Tutwiler prison system has nothing documented of the requirements to take for L.W.O.P (life w/o parole) inmates in how to attend Trade School. The plaintiff went by the only source she knew to handle her request after many requests to both defendants which was never answered to go to Trade School. Exhibit 3 shows that you have to go through your classification Supervisor for Trade School. The plaintiff wrote to her classification Supervisor and Exhibit 8 of the defendants shows that the defendant G. Deese said no L.W.O.P (life w/o parole) inmates can attend Trade School. The defendant G. Deese did not state L.W.O.P inmates can attend if they pay, but said ~~that~~ L.W.O.P. inmates could not attend Trade School. Plaintiff only receives a monthly allowance which is necessary, but Plaintiff father is willing to pay for the plaintiff to attend Trade School, see Exhibit 2. Plaintiff was never advised by either defendants the requirements they have said in their report. The defendants have tried to use the past history of the Plaintiff to make her look like a bad inmate. On the defendants special report page 4 it states Officer Cox wrote a negative behavior report. There's no such officer in Tutwiler and haven't been since Plaintiff have been incarcerated there. The defendant used an incident report Exhibit 5 of the defendants about an incident and disciplinary that the plaintiff

was found not guilty of. See plaintiff time sheet date 10/6/2005. The incident date June 24, 2004 - lying rule # 58, Exhibit 5 of the defendants does not show up. Plaintiff is in the faith based honor dorm and you have to be one year clear of all write ups. Plaintiff does have 15 write ups from her past, but the plaintiff have growed up and made much improvement in her life. Plaintiff was only 14 years old when incarcerated and is 20 years old now. If you will read the different officer good reports you will see the plaintiff have changed for the better. The plaintiff has not filed suit on her past behavior but on the fact that the wife w/o Parole men are allowed to attend Trade School if they pay. I, (the plaintiff) "Ashley Jones" want that same fair treatment as the male inmates have. On more then one account I have wrote and told defendants that I would pay to go to Trade School, neither defendant would answer my requests. I had no other options to exhaust but file a lawsuit against the two defendants that is keeping me from attending Trade School. Both defendants can be helpd responsible because it is those two defendants that have and still are keeping me from attending Trade School. The defendants Exhibit 13 that was dated 6/19/01 - all L.W.O.P inmates that come into the prison system have to be closed for a 90 day period which is a P.O.C. policy throughout the state. This Exhibit has nothing to do with my lawsuit. Exhibit 1 of the defendants which is an anonymous request slip is invalid because it has nothing to do with my lawsuit and there's no

evidence that those accusations are true, also there's no identity. Exhibit 14 of the defendants ~~has~~ has nothing to do with the plaintiff, there is no officer Cox nor has there ever been in the plaintiff stay at Tutwiler.

Exhibit 5 by plaintiff is a letter from Warden Deese dated Oct 1, 2002 of congratulations of the hard work and what she had achieve. The defendant also states she should continue to further her education.

After being pulled from Trade School as a GED tutor, the plaintiff was placed as dorm laundry attendant where there is no supervision on the job. It is a 10 minute job about 3 days a week. The laundry supervisor works inside the laundry room which is in another part of the prison. The defendant Deputy Warden Frank Albright states I was pulled from Trade School as a tutor because he had information that the plaintiff was not performing her job, but the defendant did not show any documents or evidence proving this so called fact. The plaintiff talked to Mr. Joel Brock - GED instructor, and he informed plaintiff that he was advised by Deputy Warden Frank Albright not to have any communication with plaintiff, if he did then he will be wrote up. Deputy Warden Frank Albright also threatened the plaintiff of the same thing. There is no security reasons why plaintiff can not attend Trade School. There are 3 Doc officers at Trade School and Warden Deese did allow for plaintiff to tutor at Trade School and not once did the plaintiff cause any trouble

the time that she was there. The defendants did not show any evidence that she did. The defendants also allow for L.W.O.P. inmates to work at the clothing plant with only 1 DOC officer and all kind of Sharp Objects such as scissors, snips, tweezers etc. Therefore Trade School will be more secure than the clothing plant. All that, I the plaintiff has ask is for the defendants to allow me to attend Trade School and complete a Trade. The plaintiff father is willing to pay all cost in a Tradeschool which the defendant already know. I have ask no more then the male inmates with L.W.O.P. are allowed to do.

I pray the court grant me the opportunity to be treated equal with the male inmates who are serving a Life w/o parole sentence.

Ashley Jones 216506  
 8966 U.S. Hwy 231  
 Wetumpka, AL 36092  
 November 10, 2005

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing has been served upon Jeffery H. Wong  
By U.S. First Class Mail, this 10 day of November, 2005.

Ashley Jones 2116506 11/10/05  
Petitioner  
8966 U.S. Hwy 231  
wetumpka, AL. 36090

OFFICE OF THE CLERK  
United States District Court  
P.O. BOX 711  
Montgomery, AL. 36101-0711

Address of Counsel  
Office of the State Attorney  
Alabama State House  
11 South Union Street  
Montgomery, AL. 36130